

26.08.2022
Serial no.25
Aloke

CRM (A) 4098 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Neturia Police Station Case No. 54 of 2022 dated 04.06.2022 under Sections 498A/307/354B of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

-And-

In the matter of : **Rameswar Kumbhakar & Ors.**

... .. Petitioners

Mr. Pawan Kr. Gupta, Advocate
Ms. Sugata Mitra, Advocate
Ms. Sofia Nesar, Advocate
Mr. Santanu Sett, Advocate
Ms. Ankita Dey, Advocate
... .. For the Petitioners

Mr. Imran Ali, Advocate
Ms. Debjani Sahu, Advocate

... ..For the State

Petitioners seek anticipatory bail.

The police complaint was lodged six years after marriage. There is a four year old child born out of the marriage. The petitioner contends that the husband is not being implicated at the behest of the de facto complainant.

Learned Advocate appearing for the State draws the attention to the statement of the de facto complainant recorded under Section 164 of the Code of Criminal Procedure. She states that the investigations are yet to be concluded.

At this stage, the materials in the case diary suggest that the allegations as against the petitioner are omnibus in nature. At least they are not being corroborated.

In such circumstances, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner nos. 1, 3 and 4 will report before the Investigation Officer once in a fortnight till the conclusion of the investigation and petitioner no. 2 will cooperate with the

investigation till the conclusion of the investigation and on further condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 4098 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)